

Message Text

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ACTION NEA-16

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FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 3815

INFO AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL MADRAS

C O N F I D E N T I A L NEW DELHI 12078

E.O. 11652: GDS

TAGS: PFOR, CA, IN, US

SUBJECT: HARCOS/FLETCHER

1. THE FOREIGN SECRETARY GAVE A SMALL DINNER PARTY LAST EVENING FOR MRS. MOYNIHAN AND ME. THE FOREIGN SECRETARY, THE SECRETARY TO THE PRIME MINISTER, THE SECRETARY TO THE CABINET AND I SPENT MOST OF THE EARLY PART OF THE EVENING DISCUSSING THE WHEREABOUTS AND WELL BEING OF TWO AMERICAN DRUG SMUGGLERS AND ONE TAX EVADER. THIS IS OF COURSE THE "IN" THING TO DO IN DELHI THESE DAYS. IT WAS A GREAT RELIEF AFTER A WEEKEND IN DACCA SPENT TALKING WITH THE PRIME MINISTER AND SUCH PERSONS ABOUT ECONOMIC DEVELOPMENT, FOREIGN POLICY, AND OTHER WEARISOME MATTERS, COMPARED TO WHICH SMUGGLING HASH BY SUBMARINE IS PURE "PRISSON." ANYWAY, DHAR MADE CLEAR THAT ON BEHALF OF THE PRIME MINISTER HE HAD TOLD THE HOME MINISTER TO "GET RID" OF THE DAMN THING. KEWAL SINGH PROTESTED THAT HE HAD TRIED. I ASKED WOULD HE NOT AGREE THAT HE HAD NOT TRIED VERY SUCCESSFULLY. DHAR SAID HE WOULD TAKE IT UP ONCE AGAIN WITH THE HOME MINISTER THIS MORNING (SEPTEMBER 11).

2. I THINK THEY DO WANT TO GET RID OF THE DAMN THING, BUT DON'T KNOW HOW. THERE IS NOT MUCH MORE WE CAN DO BY WAY OF PRESSING IN NEW DELHI. I MADE OUR THREE POINTS: THAT THE TRIAL SHOULD
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NOT BE IN CAMERA, THAT WE SHOULD HAVE CONSULAR ACCESS, AND THAT

THE PROSECUTION SHOULD NOT HAVE APPEALED THE COURT'S RULING THAT THE DEFENSE COUNSEL HAVE ACCESS TO THE EVIDENCE. FOR WHAT IT IS WORTH KEWAL SINGH VOLUNTEERED THAT HE HAD BEEN PRESENTED A PAPER WHICH STATED THAT THE "GENEVA" CONVENTION (PRESUMEDLY VIENNA?) DID NOT GUARANTEE CONSULAR ACCESS, AND HAD POINTED TO LANGUAGE WHICH IS HIS JUDGEMENT DID DO SO.

3. LET US NOT FORGET THAT IF THOSE TWO IN CALCUTTA HAD JUST ONCE LEVELLED WITH US DURING THEIR FIRST YEAR IN PRISON, THEY MIGHT NOT BE THERE NOW. MRS. FLETCHER CONTINUES, UNDERSTANDABLY, TO PETITION THE GOVERNMENT OF INDIA THROUGH CONNECTIONS SHE CAN MADE. LAST WEEK A CLOSE FRIEND OF THE GALBRAITHS, WHO HAD CALLED THE PRIME MINISTER'S SECRETARIAT ON THE MATTER, TOLD US THAT THE PERSON SHE CONTACTED HAD TOLD HER HE WOULD FORGET SHE HAD DONE SO, AS "WE HAVE AN AIRTIGHT CASE."
MOYNIHAN

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